

UNITED STATES DISTRICT COURT

Southern

District of

New York

JONATHAN A. BERNSTEIN, Individually and on
behalf of all those similarly situated, Plaintiff,

v.

THE CHUBB CORPORATION, FEDERAL
INSURANCE COMPANY, GREAT NORTHERN
INSURANCE COMPANY, JOHN D. FINNEGAN,
and THOMAS F. MOTAMED,

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

Defendants.

08 CV 00193

TO: (Name and address of Defendant)

(SEE ATTACHED)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ROGER W. KIRBY, Esq
KIRBY MCINERNEY LLP,
830 Third Avenue, 10th Floor
New York, N.Y. 10022
(212) 371-6600

an answer to the complaint which is served on you with this summons, within 20 days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JAN 09 2008

CLERK

DATE

J. Michael McMahon
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): 		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <p style="text-align: center;"><i>Signature of Server</i></p> <p style="text-align: center;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ATTACHMENT

SERVICE LIST

DEFENDANTS

THE CHUBB CORPORATION
15 MOUNTAIN VIEW ROAD
WARREN NJ, 07059

FEDERAL INSURANCE COMPANY (“FIC”)
15 MOUNTAIN VIEW ROAD
WARREN NJ, 07059

GREAT NORTHERN
15 MOUNTAIN VIEW ROAD
WARREN NJ, 07059

JOHN D. FINNEGAN
C/o The Chubb Corporation
15 MOUNTAIN VIEW ROAD
WARREN NJ, 07059

THOMAS F. MOTAMED
C/o The Chubb Corporation,
15 MOUNTAIN VIEW ROAD
WARREN NJ, 07059

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JONATHAN A. BERNSTEIN,

AFFIDAVIT OF SERVICE
Case No. 08CV00193

Plaintiff,

- against -

THE CHUBB CORPORATION, FEDERAL
INSURANCE COMPANY, GREAT NORTHERN
INSURANCE COMPANY, JOHN D. FINNEGAN
AND THOMAS F. MOTAMED

Defendant.

-----X
STATE OF NEW YORK)

) ss.:

QUEENS COUNTY)

Andrew Bartley, being duly sworn, deposes and says: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On January 15, 2008, at approximately 5:11 p.m., at 15 Mountain View Road, Warren, NJ 07059, which upon information and belief is the place of business of John D. Finnegan, Deponent served the within Summons in a Civil Action, Complaint and Attachment, upon: **John D. Finnegan**, by delivering to and leaving with Mark Losagio, who stated that he is the Supervisor, a true and correct copy of said documents.

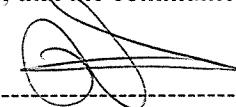
At the time of said service Mark Losagio confirmed that John D. Finnegan is employed at The Chubb Corporation.

Mark Losagio is described a white male, approximately 35-40 yrs. of age, 170-180 lbs, 5'8"-5'9" tall with black hair.

Deponent also states that on January 16, 2008, Deponent served a copy of the aforementioned documents upon Thomas F. Motamed, by depositing a true and correct copy thereof, enclosed in a securely sealed, fully post paid, First Class Mail Envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within the State of New York, addressed as follows:

John D. Finnegan
c/o The Chubb Corporation
15 Mountain View Road,
Warren, NJ 07059.

Deponent further states that the envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerns an action against the addressee.



Andrew Bartley

Sworn to before me this
January 17, 2008

Karlene S. Jackson

Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. in Queens City, New York City
Commission Expires November 17, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JONATHAN A. BERNSTEIN,

AFFIDAVIT OF SERVICE
Case No. 08CV00193

Plaintiff,

- against -

THE CHUBB CORPORATION, FEDERAL
INSURANCE COMPANY, GREAT NORTHERN
INSURANCE COMPANY, JOHN D. FINNEGAN
AND THOMAS F. MOTAMED

Defendant.

-----X
STATE OF NEW YORK)
) ss.:
QUEENS COUNTY)

Andrew Bartley, being duly sworn, deposes and says: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On January 15, 2008, at approximately 5:11 p.m., at 15 Mountain View Road, Warren, NJ 07059, which upon information and belief is the place of business of Thomas F. Motamed, Deponent served the within Summons and Complaint upon: **Thomas F. Motamed**, by delivering to and leaving with Mark Losagio, who stated that he is the Supervisor, a true and correct copy of said documents.

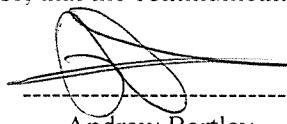
At the time of said service Mark Losagio confirmed that Thomas F. Motamed is employed at The Chubb Corporation.

Mark Losagio is described a white male, approximately 35-40 yrs. of age, 170-180 lbs, 5'8"-5'9" tall with black hair.

Deponent also states that on January 16, 2008, Deponent served a copy of the aforementioned documents upon Thomas F. Motamed, by depositing a true and correct copy thereof, enclosed in a securely sealed, fully post paid, First Class Mail Envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within the State of New York, addressed as follows:

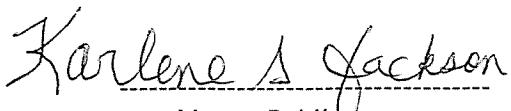
Thomas F. Motamed
c/o The Chubb Corporation
15 Mountain View Road,
Warren, NJ 07059.

Deponent further states that the envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerns an action against the addressee.



Andrew Bartley

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January 17, 2008



Kariene S. Jackson
Notary Public

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN A. BERNSTEIN,

AFFIDAVIT OF SERVICE
Case No. 08 CV 00193

Plaintiff,

- against -

CHUBB CORPORATION, FEDERAL INSURANCE
COMPANY, GREAT NORTHERN INSURANCE
COMPANY, JOHN D. FINNEGAN AND
THOMAS F. MOTAMED

Defendant.

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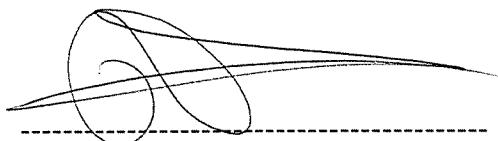
STATE OF NEW YORK)
)
) ss.:
QUEENS COUNTY)

Andrew Bartley, being duly sworn, deposes and says: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On January 15, 2008, at approximately 5:11 p.m., at 15 Mountain View Road, Warren, NJ 07059, Deponent served the within Summons in a Civil Action, Complaint and Attachment upon: **Federal Insurance Company (“FIC”)**, by delivering to and leaving with Mark Losagio, Supervisor, a true and correct copy of said documents.

At the time of said service, Mark Losagio, stated that he is duly authorized to accept service of legal documents behalf of Federal Insurance Company (“FIC”).

Mark Losagio is described a white male, approximately 35-40 yrs. of age, 170-180 lbs., 5' 8" -5'9" tall, with black hair.



Andrew Bartley

Sworn to before me this
January 16, 2008

Karlene S. Jackson

Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA503169
Qual. in Queens City; New York City
Commission Expires November 17, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X JONATHAN A. BERNSTEIN,

AFFIDAVIT OF SERVICE
Case No. 08 CV 00193

Plaintiff,

- against -

CHUBB CORPORATION, FEDERAL INSURANCE
COMPANY, GREAT NORTHERN INSURANCE
COMPANY, JOHN D. FINNEGAN AND
THOMAS F. MOTAMED

Defendant.

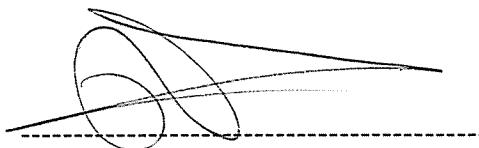
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STATE OF NEW YORK)
) ss.:
QUEENS COUNTY)

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On January 15, 2008, at approximately 5:11 p.m., at 15 Mountain View Road, Warren, NJ 07059, Deponent served the within Summons in a Civil Action, Complaint and Attachment upon: **The Chubb Corporation**, by delivering to and leaving with Mark Losagio, Supervisor, a true and correct copy of said documents.

At the time of said service, Mark Losagio, stated that he is duly authorized to accept service of legal documents behalf of The Chubb Corporation.

Mark Losagio is described a white male, approximately 35-40 yrs. of age, 170-180 lbs., 5' 8" -5'9" tall, with black hair.



Andrew Bartley

Sworn to before me this
January 16, 2008

Karlene S. Jackson
Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5063169
Qual. in Queens City, New York City
Commission Expires November 17, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN A. BERNSTEIN,

AFFIDAVIT OF SERVICE
Case No. 08 CV 00193

Plaintiff,
- against -

CHUBB CORPORATION, FEDERAL INSURANCE
COMPANY, GREAT NORTHERN INSURANCE
COMPANY, JOHN D. FINNEGAN AND
THOMAS F. MOTAMED

Defendant.

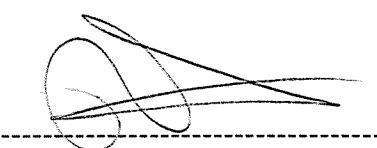
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STATE OF NEW YORK)
) ss.:
QUEENS COUNTY)

Andrew Bartley, being duly sworn, deposes and says: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On January 15, 2008, at approximately 5:11 p.m., at 15 Mountain View Road, Warren, NJ 07059, Deponent served the within Summons in a Civil Action, Complaint and Attachment, upon: **Great Northern**, by delivering to and leaving with Mark Losagio, Supervisor, a true and correct copy of said documents.

At the time of said service, Mark Losagio, stated that he is duly authorized to accept service of legal documents behalf of Great Northern.

Mark Losagio is described a white male, approximately 35-40 yrs. of age, 170-180 lbs., 5' 8" -5'9" tall, with black hair.



Andrew Bartley

Sworn to before me this
January 16, 2008

Karlene S. Jackson

Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. in Queens City, New York City
Commission Expires November 17, 2009